

## NOTICE OF OBJECTION TO CONFIRMATION

DITECH FINANCIAL LLC has filed papers with the Court to object to the Confirmation of the Chapter 13 Plan.

**Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)**

If you do not want the Court to object to the Confirmation of the Chapter 13 Plan, or if you want the Court to consider your views on the Objection, then on or before, you or your attorney must:

File with the Court an answer, explaining your position at:

**Clerk  
U.S. Bankruptcy Court  
402 East State Street  
Trenton, NJ 08608**

If you mail your response to the Court for filing, you must mail it early enough so that the Court will *receive* it on or before the date stated above.

You must also mail a copy to:

Phelan Hallinan Diamond & Jones, PC  
400 Fellowship Road, Suite 100  
Mt. Laurel, NJ 08054

Albert Russo, Trustee  
Standing Chapter 13 Trustee  
CN 4853  
Trenton, NJ 08650-4853

Attend the hearing scheduled to be held on 02/28/2018 in the TRENTON Bankruptcy Court, in Courtroom #2, at the following address:

**U.S. Bankruptcy Court  
402 East State Street  
Trenton, NJ 08608**

If you or your attorney do not make these steps, the Court may decide that you do not oppose the relief sought in the Objection and may enter an Order granting that relief.

Dated: January 26, 2018

/s/ Nicholas V. Rogers  
Nicholas V. Rogers, Esq.  
Phelan Hallinan Diamond & Jones, PC  
400 Fellowship Road, Suite 100  
Mt. Laurel, NJ 08054  
Tel: 856-813-5500 Ext. 42689  
Fax: 856-813-5501  
Email: [nicholas.rogers@phelanhallinan.com](mailto:nicholas.rogers@phelanhallinan.com)

**File No. 803838**

Phelan Hallinan Diamond & Jones, PC  
400 Fellowship Road  
Mt. Laurel, NJ 08054  
856-813-5500  
FAX Number 856-813-5501  
DITECH FINANCIAL LLC

In Re:

JOHN P. CONKLIN  
MELISSA A. CONKLIN

Debtors

UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF NEW JERSEY  
TRENTON VICINAGE

Chapter 13

Case No. 17-36011 - KCF

Hearing Date: 02/28/2018

The undersigned, Phelan Hallinan Diamond & Jones, PC, attorneys for Secured Creditor, DITECH FINANCIAL LLC, the holder of a Mortgage on Debtors' residence located at 63 GUILFORD PL, BURLINGTON TOWNSHIP, NJ 08016 hereby objects to the Confirmation of the Debtors' proposed Chapter 13 Plan on the following grounds:

1. Secured Creditor is DITECH FINANCIAL LLC.
2. Debtors, JOHN P. CONKLIN and MELISSA A. CONKLIN are the owners of the property located at 63 GUILFORD PL, BURLINGTON TOWNSHIP, NJ 08016.
3. On January 16, 2018, Secured Creditor filed a Proof of Claim listing arrears in the amount of \$8,628.31.
4. Debtors' Plan fails to cure the delinquency pursuant to 11 U.S.C. §1322(b)(5).
5. Debtors' Plan currently provides for payment to Secured Creditor in the amount of \$4,520.00.
6. Secured Creditor objects to Debtors' Plan as it is underfunded. Debtors' Plan should be amended to fully fund the arrears owed to Secured Creditor. Absent a modification by the Debtors', confirmation of Debtors' proposed Plan should be denied.

WHEREFORE, DITECH FINANCIAL LLC respectfully requests that the Confirmation of Debtors Plan be denied.

Dated: January 26, 2018

/s/ Nicholas V. Rogers  
Nicholas V. Rogers, Esq.  
Phelan Hallinan Diamond & Jones, PC  
400 Fellowship Road, Suite 100  
Mt. Laurel, NJ 08054  
Tel: 856-813-5500 Ext. 42689  
Fax: 856-813-5501  
Email: [nicholas.rogers@phelanhallinan.com](mailto:nicholas.rogers@phelanhallinan.com)

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY  
**Caption in Compliance with D.N.J. LBR 9004-1(b)**

803838  
Phelan Hallinan Diamond & Jones, PC  
400 Fellowship Road, Suite 100  
Mt. Laurel, NJ 08054  
856-813-5500  
Attorneys for DITECH FINANCIAL LLC

In Re:

JOHN P. CONKLIN  
MELISSA A. CONKLIN

Case No: 17-36011 - KCF

Hearing Date: 02/28/2018

Judge: KATHRYN C.  
FERGUSON

Chapter: 13

**CERTIFICATION OF SERVICE**

1. I, MICHAEL ROCKS:

☐ represent the \_\_\_\_\_ in the above-captioned matter.

☒ am the secretary/paralegal for Phelan Hallinan Diamond & Jones, PC,  
who represents DITECH FINANCIAL LLC in the above captioned matter.

☐ am the \_\_\_\_\_ in the above case and am representing  
myself.

2. On January 26, 2018 I sent a copy of the following pleadings and/or  
documents to the parties listed below:

Objection to Plan

3. I hereby certify under penalty of perjury that the above documents were sent  
using the mode of service indicated.

Dated: January 26, 2018

/s/ MICHAEL ROCKS  
MICHAEL ROCKS

Name and Address of Party Served	Relationship of Party to the Case	Mode of Service
John P. Conklin 63 Guilford Place Burlington, NJ 08016	Debtor	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court *)
Melissa A. Conklin 63 Guilford Place Burlington, NJ 08016	Debtor	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court *)
John P. Conklin 63 Guilford Pl Burlington Township, NJ 08016	Debtor	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court *)
Melissa A. Conklin 63 Guilford Pl Burlington Township, NJ 08016	Debtor	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court *)

<p>Brad J. Sadek, Esquire Sadek and Cooper 1315 Walnut Street Ste 502 Philadelphia, PA 19107</p>	<p>Debtor's Attorney</p>	<p><input type="checkbox"/> Hand-delivered</p> <p><input checked="" type="checkbox"/> Regular mail</p> <p><input type="checkbox"/> Certified mail/RR</p> <p><input type="checkbox"/> E-mail</p> <p><input checked="" type="checkbox"/> Notice of Electronic Filing (NEF)</p> <p><input type="checkbox"/> Other _____ (as authorized by the court *)</p>
<p>Albert Russo, Trustee Standing Chapter 13 Trustee CN 4853 Trenton, NJ 08650-4853</p>	<p>Trustee</p>	<p><input type="checkbox"/> Hand-delivered</p> <p><input checked="" type="checkbox"/> Regular Mail</p> <p><input type="checkbox"/> Certified mail/RR</p> <p><input type="checkbox"/> E-mail</p> <p><input checked="" type="checkbox"/> Notice of Electronic Filing (NEF)</p> <p><input type="checkbox"/> Other _____ (as authorized by the court *)</p>

\* May account for service by fax or other means as authorized by the court through the issuance of an Order Shortening Time.